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Division of Wyeth, Walter Wardrop, and Michael
McDermott

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOWARD HENRY,

Plaintiff,

v.

WYETH PHARMACEUTICALS, INC., WALTER
WARDROP, ANDREW SCHASCHL, and
MICHAEL McDERMOTT,

Defendants.

05-CV-8106 (RCC)(DFE)

**DECLARATION OF
JAMES H. MCQUADE IN
SUPPORT OF DEFENDANTS'
MOTION FOR SUMMARY
JUDGMENT**

I, James H. McQuade, declare:

1. I am an attorney admitted to practice before this Court and am employed by Orrick, Herrington & Sutcliffe LLP, counsel for Defendants Wyeth Pharmaceuticals, a Division of Wyeth, Walter Wardrop, and Michael McDermott ("Defendants") in the above-entitled action. I submit this Declaration in support of Defendants' motion, pursuant to Rule 56 of the Federal Rules of Civil Procedure, for summary judgment.

2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts and exhibits from the deposition of Howard A. Henry taken on June 12, 2006 in this action.

3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts from the deposition of Walter Wardrop taken on July 25, 2006 in this action.

4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the deposition of Joanne Rose taken on July 25, 2006 in this action.

5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the deposition of Peter T. Bigelow taken on July 25, 2006 in this action.

6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts from the deposition of Michael McDermott taken on July 25, 2006 in this action.

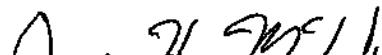
7. Attached hereto as Exhibit 6 is a copy of the Notice of Charge of Discrimination filed by Howard Henry.

8. Attached hereto as Exhibit 7 is a copy of the Notice of Charge of Discrimination filed by Howard Henry.

9. By Stipulation and Order entered on February 8, 2006, Defendant Andrew Schaschl was dismissed from this case.

Executed on October 30, 2006 at New York, New York.

I declare under penalty of perjury that the foregoing is true and correct.



James H. McQuade